

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

GERALD A. OGLESBEE,	)	No. CV-11-0311-CI
	)	
Plaintiff,	)	
	)	ORDER GRANTING STIPULATED
v.	)	MOTION TO REMAND PURSUANT
	)	TO SENTENCE FOUR OF 42
MICHAEL J. ASTRUE,	)	U.S.C. § 405(g)
Commissioner of Social	)	
Security,	)	
	)	
Defendant.	)	

---

BEFORE THE COURT is the parties' stipulated Motion to Remand the above-captioned matter to the Commissioner for additional administrative proceedings. ECF No. 18. Attorney Maureen J. Rosette represents Plaintiff; Special Assistant United States Attorney Lisa Goldoftas represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 8. After considering the stipulation of the parties,

**IT IS ORDERED:**

1. The parties' stipulated Motion to Remand, **ECF No. 18**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) shall hold a *de novo* hearing and Plaintiff may raise any issue. Further, the ALJ shall: (1) obtain updated medical evidence; (2) reevaluate the medical evidence and specify the weight accorded to the opinions of record,

1 including the opinions of John Arnold, Ph.D.; Mahlon Dalley, Ph.D.;  
2 W. Scott Mabee, Ph.D.; and State agency consultants; (3) reevaluate  
3 Plaintiff's credibility; (4) perform a new residual functional  
4 capacity assessment on the updated record in a manner consistent  
5 with Social Security Ruling (SSR) 85-15, SSR 96-6p, and SSR 96-9p;  
6 (5) clarify any inconsistencies in the evidence and opinions of  
7 record; and (6) continue the sequential evaluation process,  
8 obtaining supplemental vocational expert testimony.

9 2. Judgment shall be entered for the **PLAINTIFF**.

10 3. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, is  
11 stricken as moot.

12 4. An application for attorney fees may be filed by separate  
13 motion.

14 The District Court Executive is directed to enter this Order,  
15 forward copies to counsel, and thereafter shall close this file.

16 DATED December 11, 2012.

17  
18 S/ CYNTHIA IMBROGNO  
19 UNITED STATES MAGISTRATE JUDGE  
20  
21  
22  
23  
24  
25  
26  
27  
28